

RESOLUTION NO. 2019-34

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO PREPARE AND EXECUTE A LETTER OF COMMITMENT TO IMPROVE PUBLIC PARKING AND BEACH ACCESS RELATING TO THE VILLAGE'S INCLUSION WITHIN THE MIAMI-DADE COUNTY BEACH EROSION CONTROL AND HURRICANE PROTECTION PROJECT; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Village of Key Biscayne ("Village") has requested that the U.S. Army Corps of Engineers (the "Army Corps") include the Village within the Miami-Dade County Beach Erosion Control and Hurricane Protection project (the "Project"); and

WHEREAS, in order to be included in the Project, the Army Corps has requested that the Village provide a letter of commitment to improve public parking and beach access in order to comply with the Army Corps policy and guidance for federal participation in shore protection prior to construction of the Project (the "Letter"); and

WHEREAS, the Village Council authorizes the Village Manager to prepare the Letter and to transmit this Letter to Miami-Dade County, Army Corps, and the Village Congressional Delegation; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. **Authorization.** That the Village Council authorizes the Village Manager to prepare and execute the Letter, in substantially the form attached hereto, as Exhibit "A."



Section 3. **Transmittal.** That the Village Manager is authorized to transmit this Letter to Miami-Dade County, the Army Corps, and the Village Congressional Delegation.

Section 4. **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this 21st day of May, 2019.

ATTEST:


JENNIFER MEDINA, CMC
VILLAGE CLERK


MICHAEL W. DAVEY, MAYOR


APPROVED AS TO FORM AND LEGAL SUFFICIENCY


VILLAGE ATTORNEY

EXHIBIT "A"



VILLAGE OF KEY BISCAYNE

Village Council

May 14, 2019

Michael W. Davey, *Mayor*
Allison McCormick, *Vice Mayor*
Luis Lauredo
Edward London
Brett Moss
Katie Petros
Ignacio J. Segurola

Via Electronic Mail and Federal Express

Colonel Andrew Kelly, District Commander
U.S. Army Corps of Engineers Jacksonville District
701 San Marco Boulevard
Jacksonville, Florida 32207-8915

Re: Village of Key Biscayne's Letter of Commitment to Improve
Public Beach Access to Facilitate Its Inclusion in the New
50-year Authorization of the Miami-Dade County Beach
Erosion Control and Hurricane Protection Project (BEC&HP
Project)

Dear Colonel Kelly:

Please accept this correspondence as the Village of Key Biscayne's (the "Village") Letter of Commitment to improve public parking and beach access in order to comply with the U.S. Army Corps of Engineers (Corps) Policy and Guidance for Federal Participation in Shore Protection (Regulation No. 1165-2-130) prior to construction of a federal shore protection project in the Village. In correspondence received on May 13, 2019, the Corps refer to above referenced regulation and determined that the Village does not comply with those regulations in two material respects. First, the Corps determined that the Village does not have a sufficient number of public beach access points. Second, the Corps determined that there is inadequate public parking or, alternatively, that available public transportation is not within 0.25 miles of the beach access points.

The Village has since performed a high-level review of its public beach access and believes it can comply with the regulation referenced by the Corps. In support, the Village offers the following details:

I. Public Beach Access Points. In addition to the existing public access points at Sonesta Drive and Heather Drive, there are several additional physical points of connection to the beach. Some of these physical points of connection are open to Village residents only, while others are open to hotel or club guests. The Village has reviewed the Corps' Engineer Regulation and believes it can open at least one public beach access point in the central Village area, and at least one in the south Village area prior to construction. In order to open these physical points of connection to the general public, the Village will need to closely examine longstanding historical agreements between various property owners and work with property owners to effectuate public access



VILLAGE OF KEY BISCAINE

agreements. The Village has already commenced this process and will keep the Corps updated on its progress in this respect.

II. Proximity of Public Parking or Public Transit. The Village enjoys an extensive network of Miami-Dade County bus stops located along Crandon Boulevard that are within walking distance to each of the Village's beach access points. However, the Corps has indicated that those bus stops do not comply with the Engineer Regulations because they are located more than 0.25 miles from the beach access points.

In order to address this concern, the Village will enhance its free, on-demand ridesharing service called Freebee on the Key ("Freebee"). The existing service can be summoned via mobile-app or can be accessed on its continuous KB Loop service along Village streets at stops marked with signage. The existing on-demand service easily connects passengers from Miami-Dade Transit Metro-Bus stops with beach public access points. The Village would like to review this system with the Corps, and commits to adjust the free shuttle service's routes and frequency as needed, in order to improve public beach access. Additionally, the Village will continue to support and promote various means of nontraditional mobility, and modify those other services as needed in order to improve public beach access.

In the event that the Corps requests additional connectivity between the Miami-Dade Transit Metro-Bus stops and the beach public access points, the Village commits to request expansion of existing bus routes off Crandon Boulevard, toward the ocean, in order to improve public beach access at strategic locations. Additionally, the Village commits to request and use CITT funding from Miami-Dade County to subsidize a Village circulator system.

Respectfully submitted,
THE VILLAGE OF KEY BISCAINE

Andrea M. Agha
Village Manager



VILLAGE OF KEY BISCAINE

AMA:jco

cc: The Honorable Donna Shalala
The Honorable Mario Diaz-Balart
The Honorable Debbie Wasserman Schultz
The Honorable Frederica Wilson
The Honorable Debbie Mucarsel-Powell
The Honorable Marco Rubio
The Honorable Rick Scott
Brian Choate, ACOE
Terri Jordan Sellers, ACOE
Jim Davenport
T. Spencer Crowley, III, Esq.
Chad Friedman, Esq.
Tim Blankenship, P.E.
Jake Ozyman, P.E.
Colleen Castille